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Holger Hoffmann

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

DICKERSON, CHAD S

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 6/25/2009 have been fully considered but they are not persuasive. In the remarks filed on 6/25/2009, the Applicant asserted that the combined references do not perform the feature of the claim limitation stating, *“transmitting identification information of the sending first fax machine from the first data gateway to the second data gateway after setting up the transmission-controlling connection between the second fax machine and the second gateway.* The Examiner respectfully disagrees with this assertion.

When looking at the claim language, the feature in contention involves the first phase of facsimile communication (phase A: Call Establishment). During this phase, the sending fax transmits the CNG signal and the receiving fax responds with a CED tone. This exchange is seen in figures 6 and 7 in the reference of Endo. As stated in Endo, the calling fax goes off hook and the number dialed is sent to the transmitting gateway and a connection request is sent to the receiving fax's gateway in order to make a call to the receiving facsimile¹. Within the above mentioned section, this clearly discloses *“after setting up transmission-controlling connection between the second fax machine and the second gateway”* because the connection between the faxes and their respective gateways are established before the information, such as the NSS signal that identifies the capabilities that the calling fax is using during the facsimile process that is common with the called fax. However, since the Endo reference did not specifically

¹ See Endo '038 at col. 14, ll. 39-col. 15, ll. 16 and figures 6 and 7.

Art Unit: 2625

disclose sending a Transmitting Subscriber Information (TSI) signal, which is considered as identification information, to a called fax device after establishing a connection between the faxes and their respective gateways, the Examiner combined the Endo reference with the Sakurai '373. The Sakurai reference discloses in figures 13 and 5 that the calling fax establishes a connection with its gateway and the called fax also connects with its own gateway before the sending fax sends the TSI signal from the calling fax device from the calling gateway to the called gateway². Once the two faxes and the gateways establish communication with each other, the calling gateway provides the called gateway with the identification information from the calling, or sending, fax.

The Examiner still believes that the combined references performs the claim limitations because the Endo reference discloses both fax machines establishing connections with their respective gateways and then the calling machine sends a signal that identifies capability information that will be used from the calling fax machine to the called fax machine through the respective gateways. The Sakurai reference is then used to specifically introduce TSI information to the combination that is transmitted from connected fax machines with their gateways. Because of this combination with the description of the related, the Examiner still believes that the claim limitations are still taught and therefore, the rejection is maintained.

² See Sakurai '373 at paragraphs [0009]-[0019] and [0066]-[0075] and figures 5, 7, 13 and 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAD DICKERSON whose telephone number is (571)270-1351. The examiner can normally be reached on 9:30-6:00pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHAD DICKERSON
Examiner
Art Unit 2625

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625

Application/Control Number: 10/657,716
Art Unit: 2625

Page 5